



AT 26 2004

PATENT
Attorney Docket No.: HELLO-00308

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 2747
Bruce W. Stelman) Examiner: Jeffrey, F. Harold
Serial No.: 09/286,249) **TRANSMITTAL LETTER**
Filed: April 5, 1999) 162 North Wolfe Road
For: **SMART INTERFACE**) Sunnyvale, California 94086
TECHNOLOGY) (408) 530-9700
Customer Number 28960

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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MAY 14 2004

Technology Center 2600

Sir:

Enclosed please find a Response to the Final Office Action dated March 10, 2004 for filing with the U.S. Patent and Trademark Office.

The Commissioner is authorized to charge any additional fee or credit any overpayment to our Deposit Account No. 08-1275. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: May 10, 2004

By: Thomas B. Haverstock
Thomas B. Haverstock
Reg. No.: 32,571

Attorneys for Applicant

CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

- 1 -

HAVERSTOCK & OWENS LLP
Date: 5/10/04 By: [Signature]



PATENT
Atty. Docket No.: HELLO-00308

#19

B.D.

5/19/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bruce W. Stelman

Serial No.: 09/286,249

Filed: April 5, 1999

For: SMART INTERFACE
TECHNOLOGY

Group Art Unit: 2644

Examiner: Jefferey F. Harold

RESPONSE TO FINAL OFFICE
ACTION DATED March 10, 2004

162 North Wolfe Road
Sunnyvale, CA 94086
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REMARKS

The Applicant respectfully requests further examination and consideration in view of the arguments set forth fully below. Prior to the Final Office Action, Claims 41-58 and 63 were pending. Within the Final Office Action, Claims 41-58 and 63 were rejected and are currently pending.

Rejections Under 35 U.S.C. 112

Within the Final Office Action, Claims 41-58 and 63 were rejected under 35 U.S.C. 112, first paragraph, "as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention."

It is further stated within the Final Office Action that "the examiner does not consider this claim to be directed to the same invention as that of U.S. Patent No. 5,729,603 because the support for the copied claims is not the same as that of U.S. Patent No. 5,729,603. Accordingly, an interference cannot be initiated based upon this claim." The Applicant respectfully disagrees.

The argument that "the support for the copied claims is not the same as that of U.S.